



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

PAT QUINN, GOVERNOR

JOHN J. KIM, INTERIM DIRECTOR

217/555-5555

Date

CERTIFIED MAIL # XXXX XXXX XXXX XXXX
RETURN RECEIPT REQUESTED

CAFO NPDES Permit Applicant
P.O. Box 555
Outland, Illinois 66666

Re: Violation Notice: CAFO NPDES Permit Applicant
Violation Notice No.: W-XXXX-XXXX

Dear Mr. or Ms. CAFO NPDES Permit Applicant :

This constitutes a Violation Notice pursuant to Section 31(a)(1) of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/31(a)(1), and is based upon a review of available information and an investigation by representatives of the Illinois Environmental Protection Agency ("Illinois EPA").

The Illinois EPA hereby provides notice of alleged violations of environmental laws, regulations, or permits as set forth in Attachment A to this notice. Attachment A includes explanation of the activities that the Illinois EPA believes may resolve the specified alleged violations, including an estimate of a reasonable time period to complete the necessary activities. Due to the nature and seriousness of the alleged violations, please be advised that resolution of the violations may also require the involvement of a prosecutorial authority for purposes that may include, among others, the imposition of statutory penalties.

A written response, which may include a request for a meeting with representatives of the Illinois EPA, must be submitted via certified mail to the Illinois EPA within 45 days of receipt of this letter. If a meeting is requested, it shall be held within 60 days of receipt of this notice. The response must include information in rebuttal, explanation, or justification of each alleged violation and a statement indicating whether or not the facility wishes to enter into a Compliance Commitment Agreement ("CCA") pursuant to Section 31(a) of the Act. If the facility wishes to enter into a CCA, the written response must also include proposed terms for the CCA that includes dates for achieving each commitment and may include a statement that compliance has been achieved for some or all of the alleged violations. The proposed terms of the CCA should contain sufficient detail and must include steps to be taken to achieve compliance and the necessary dates by which compliance will be achieved.

CAFO NPDES Permit Applicant

VN: W-XXXX-XXXXX

The Illinois EPA will review the proposed terms for a CCA provided by the facility and, within 30 days of receipt, will respond with either a proposed CCA or a notice that no CCA will be issued by the Illinois EPA. If the Illinois EPA sends a proposed CCA, the facility must respond in writing by, either agreeing to and signing the proposed CCA, or by notifying the Illinois EPA that the facility rejects the terms of the proposed CCA.

If a timely written response to this Violation Notice is not provided, it shall be considered a waiver of the opportunity to respond and meet, and the Illinois EPA may proceed with referral to a prosecutorial authority.

Written communications should be directed to:

Illinois EPA – Division of Water Pollution Control
Attn: CAS Staff Name/ CAS#19
P.O. Box 19276
Springfield, IL 62794-9276

All communications must include reference to this Violation Notice number, W-XXXX-XXXXX.

Questions regarding this Violation Notice should be directed to CAS Staff Name at 217/555-5555.

Sincerely,

Roger Callaway
Compliance Assurance Section
Division of Water Pollution Control
Bureau of Water

Attachments

ATTACHMENT A

**CAFO NPDES Permit Applicant
- XXXXX**

VIOLATION NOTICE: W-XXXX

Questions regarding the violations identified in this attachment should be referred to CAS Staff Name at (217) 555-5555.

On June 6, 2006, a Compliance Evaluation Inspection was performed on the CAFO NPDES Permit Applicant Livestock Farm. At the time of the inspection, the facility was discharging wastewater to waters of the State without an NPDES permit.

A review of information available to the Illinois EPA indicates the following violations of statutes, regulations, or permits. Included with each type of violation is an explanation of the activities that the Illinois EPA believes may resolve the violation including an estimated time period for resolution.

Unpermitted Discharge

Cease and desist from discharging contaminants that cause or threaten to cause water pollution. Review operational and maintenance procedures and correct the deficiencies which caused the violation. Compliance is expected to be pursued immediately.

<u>Violation Date</u>	<u>Violation Description</u>
06/06/06	Except as in compliance with the provisions of the Act, Board regulations, and the CWA & (Clean Water Act), and the provisions and conditions of the NPDES (National Pollutant Discharge Elimination System) permit issued to the discharger, the discharge of any contaminant or pollutant by any person into the waters of the State from a point source shall be unlawful.
Rule/Reg.:	Section 12(a) and (f) of the Act, 415 ILCS 5/12(a) and (f) (2010), 35 Ill. Adm. Code 309.102 (a)
06/06/07	The Illinois EPA sent a Notice of Incompleteness regarding the NPDES permit application on 04/01/07. The Illinois EPA has not received a response to the Notice of Incompleteness letter as of 07/01/07. The Illinois EPA is not able to complete processing of the permit application so as to issue an NPDES permit for the discharges from the CAFO.
Rule/Reg.:	Section 12(a) and (f) of the Act, 415 ILCS 5/12(a) and (f) (2010), 35 Ill. Adm. Code 502.301 (a).